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CLERK, U.S. DISTRICT COURT
NORFOLK, VA

UNDER SEAL

AFFIDAVIT IN SUPPORT OF APPLICATION FOR CRIMINAL COMPLAINT AND ARREST WARRANT

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SEALED

I, James A. Faulkner, being first duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am employed by the United States Department of Justice as a Special Agent (SA) of the Federal Bureau of Investigation (FBI) and have been so employed since 2012. I have been assigned to the Norfolk field office, where my primary duties include, but are not limited to, the investigation of human trafficking, kidnappings, bank robberies, fugitives, violent incident crimes, commercial robbery, homicides, gang and narcotics organizations, organized criminal enterprises, and covert surveillance. I have received specialized training in the area of human trafficking and prostitution.
2. As a federal agent, I am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States.
3. The information contained in this Affidavit is based on my personal knowledge, the review of documents, and observations made by me during the course of this investigation, as well as, information conveyed to me by other individuals, including information obtained from other law enforcement agencies.
4. This affidavit is being made in support of an application for an arrest warrant for JOSHUA MANUEL TREAT for Sex Trafficking of Children, in violation of 18 U.S.C. § 1591, and Production of Child Pornography, in violation of 18 U.S.C. § 2251(a).
5. Because this Affidavit is submitted for the limited purpose of establishing probable cause in support of the application for an arrest warrant, this Affidavit does not set forth each and every

fact learned by me or observed by me during the course of this investigation. This Affidavit includes only the facts I believe are necessary to establish probable cause to believe JOSHUA MANUEL TREAT committed violations of 18 U.S.C. § 1591(a), Sex Trafficking of Children and Production of Child Pornography, in violation of 18 U.S.C. § 2251(a).

LEGAL AUTHORITY

6. 18 U.S.C. § 1591, in pertinent part, makes it a criminal offense for anyone that knowingly (1)in or affecting interstate or foreign commerce, or within the special maritime and territorial jurisdiction of the United States, recruits, entices, harbors, transports, provides, obtains, or maintains by any means a person; or (2) benefits, financially or by receiving anything of value, from participation in a venture which has engaged in an act described in violation of paragraph (1), knowing, or in reckless disregard of the fact, that means of force, threats of force, fraud, coercion, or any combination of such means will be used to cause the person to engage in a commercial sex act, or that the person has not attained the age of 18 years and will be caused to engage in a commercial sex act.
7. 18 U.S.C. § 2251(a) prohibits a person from employing, using, persuading, inducing, enticing, or coercing any minor to engage in, or who has a minor assist any other person to engage in, or who transports any minor in interstate or foreign commerce, or in any Territory or Possession of the United States, with the intent that such minor engage in, any sexually explicit conduct for the purpose of producing any visual depiction of such conduct, if such person knows or has reason to know that such visual depiction will be transported in interstate or foreign commerce or mailed, if that visual depiction was produced using materials that have been mailed, shipped, or transported in interstate or foreign commerce by any means, including by computer, or if such visual depiction has actually been transported in interstate or foreign commerce or mailed.

BACKGROUND OF THE INVESTIGATION

8. On 10/01/2016, W.B. called the FBI's Public Access Line to report his 14-year-old daughter; JANE DOE, was involved with prostitution through an online escort service. W.B. provided the following information:

9. On 9/26/2016, JANE DOE ran away from home with a 20-year-old man named JOSHUA MANUEL TREAT, who resides in Elizabeth City, North Carolina. W.B. filed a report with the Chesapeake Police Department. JANE DOE was placed on the missing person list and her picture was placed in the National Center for Missing and Exploited Children database.

10. On 9/28/2016, JANE DOE was briefly spotted at home by her mother, but ran away again. W.B. was able to obtain information from JANE DOE's phone, which revealed multiple numbers he deemed to belong to adult men, based on online resources. One telephone number belonged to an online escort service. W.B. found a picture he believed to be JANE DOE listed on the website. He believed that there were other underage girls also listed on the site. He thought they were underage based on their appearance.

11. W.B. filed for a protective order against TREAT, but it was never able to be served. W.B. said he believed TREAT was involved in drug activity, and led JANE DOE to be involved in drugs.

12. Based on information W.B. gathered from JANE DOE, W.B. found that TREAT was associated with an escort business and prostitution. W.B. tracked recent calls from JANE DOE's cell phone to a hotel in Virginia Beach, Virginia (the "Hotel") and contacted the Virginia Beach Police Department (VBPD). VBPD went to the location, but did not find anyone registered under JANE DOE or TREAT's name.

13. On 10/12/16, members of VBPD were conducting investigations into illicit prostitution occurring in the City of Virginia Beach. While working in an undercover capacity, a VBPD detective

exchanged several online instant messages and phone messages with JOSHUA MANUEL TREAT. The detective and TREAT set up an appointment being set later that evening. The appointment was to take place at the Hotel. TREAT and the detective agreed that TREAT would engage in sexual intercourse with a juvenile identified as JANE DOE while being watched by the detective in exchange for $250.00.

14. At approximately 2100 hours on 10/12/16, TREAT arrived at the Hotel with JANE DOE as well as a juvenile male, P.S. P.S. was driving the vehicle and left the parking lot after dropping off JANE DOE and TREAT. When P.S. drove away, TREAT and JANE DOE entered Room 145. Once inside the room, a brief conversation took place that discussed the arrangements. The detective gave TREAT $400.00. Subsequently, TREAT and JANE DOE were taken into custody. Simultaneously, surveillance units followed P.S. and had a marked police unit conduct a traffic stop where P.S. was detained for further questioning.

15. A search of TREAT was conducted and a Glock 42 .380 handgun was recovered from his left front pants pocket. A syringe with heroin residue in it and a crack cocaine smoking device was also recovered from his right shoe. TREAT, JANE DOE, and P.S. were then transported to the VBPD Detective Bureau for interviews.

16. JANE DOE was interviewed and, after being advised of her *Miranda* rights, JANE DOE admitted to initially agreeing to come to the Hotel for a prostitution appointment but then later told TREAT she did not feel comfortable having sex with him in front of someone. JANE DOE stated that TREAT then suggested that she try and go through with the appointment but if she felt uncomfortable, they would rob the customer. JANE DOE stated that she saw P.S. give TREAT a handgun upon entering P.S.' vehicle.

17. In later interviews, JANE DOE explained that she and TREAT had known each other for a while and had been dating since she was 13 years old. Since the time she ran away in September 2016, JANE DOE explained that TREAT posted her online on www.backpage.com and set up prostitution appointments for her. She stated that she was always high on drugs during the appointments, usually on heroin injected into her intravenously by TREAT. She stated that she did have sexual intercourse with some of the customers; however, when she refused to engage in the appointments at TREAT's request, she would rob the customers, sometimes threatening to utilize a taser. During these robberies, TREAT had a firearm and he would hide in the hotel room with the firearm in case she needed help during the robbery of the prostitution client.

18. TREAT was interviewed and, after being advised of his *Miranda* rights, admitted to setting up the prostitution appointment with the VBPD detective where he was going to have sex with JANE DOE in front of the detective in exchange for $250.00. TREAT admitted that he encouraged JANE DOE to do the prostitution appointment. However; if she felt uncomfortable, he was going to use the Glock 42 to rob the customer. TREAT admitted to knowing that JANE DOE was 14 years old at the time the prostitution appointment was to take place. TREAT admitted that he received the gun from P.S. upon entering P.S.' car, and that P.S. would drive TREAT and JANE DOE to prostitution appointments. TREAT consented to a search of his cellular phone where a picture was located in his phone that appeared to be JANE DOE performing oral sex on TREAT. TREAT admitted that it was JANE DOE and himself in the picture and that JANE DOE was in fact performing oral sex on him. The image was created on October 9, 2016. The phone that created the image was manufactured outside of Virginia. JE RJ

19. P.S. was interviewed and, after being advised of his *Miranda* rights, admitted to giving TREAT the Glock 42 and that he was going to receive money for driving TREAT and JANE DOE to the

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prostitution appointment. P.S. admitted that he knew TREAT was going to have sex with JANE DOE in front of a client for money. P.S. admitted that, in the past year, he had given rides to other females prostituting for TREAT, including JANE DOE, to various hotels in Hampton Roads for the purpose of prostitution appointments. P.S. stated that he knew TREAT had listed himself as well as JANE DOE on backpage.com for the purposes of prostitution. P.S. also admitted that he gets crack cocaine and heroin from TREAT.

20. TREAT was transported to the Virginia Beach City Jail and charged with various state crimes.

21. Based on the information and evidence set forth above, I respectfully submits that there is probable cause to believe that JOSHUA MANUEL TREAT has committed the following offenses: Count One: from in or about September 2016 through on or about October 12, 2016, in the Eastern District of Virginia, and elsewhere, JOSHUA MANUEL TREAT, in and affecting interstate and foreign commerce, did knowingly recruit, entice, harbor, transport, provide, obtain, advertise, maintain, patronize and solicit by any means, Jane Doe, a minor who was under 18 years, knowing and in reckless disregard of the fact that means or force, threats of force, fraud, coercion or any combination of such means will be used to cause Jane Doe to engage in a commercial sex act, and knowing and in reckless disregard of the fact that Jane Doe had not attained the age of 18 years and would be caused to engage in a commercial sex act, in violation of 18 U.S.C. § 1591(a); and Count Two: on or about October 9, 2016, in the Eastern District of Virginia, JOSHUA MANUEL TREAT did employ, use, persuade, induce, entice, and coerce a minor, namely JANE DOE, to engage in sexually explicit conduct for the purpose of producing visual depictions of such conduct, and such visual depictions were produced using materials that had been mailed, shipped, and transported in interstate and foreign commerce by any means,

including by computer, and such visual depictions had actually been transported in interstate and foreign commerce, in violation of 18 U.S.C. § 2251(a).

22. Accordingly, I request that a warrant be issued authorizing the arrest of JOSHUA MANUEL TREAT.

James A. Faulkner
Special Agent
Federal Bureau of Investigation

Sworn to before me this 30th day of November, 2016.

United States Magistrate Judge
Eastern District of Virginia